

REMARKS

The applicant submits this supplemental amendment pursuant to Rule 114 in supplement to the amendment dated April 13, 2005, submitted together with a request for continued examination.

In this supplemental amendment, new, independent claims 21 and 24 are presented, and claims 1 and 13 have been cancelled.

New, dependent claims 22-23 and 25 are also presented. Various of the remaining dependent claims have been amended or cancelled responsive to the newly-presented independent claims.

Claims 21 and 24 have been drafted in manners believed to distinguish the invention of the present application over the cited references of Vanttila and Hansson, used alone and in combination to reject the claims of the patent application.

With particular respect to claim 21, the amendment recites apparatus including a network-positioned download parameter initiation signal generator and a network-positioned data call connector. Method claim 24 recites analogous method operations.

Neither of these cited references disclose the structure, or corresponding method, as now recited. The Examiner relies upon Vanttila for showing feature codes that are provided to a mobile station to activate software resident at the mobile station. Thereference, however, indicates that SMS messages are exchanged between an operator and a user terminal. No direct data call connection is provided. As claims 21 and 24 recite structure and methodology for the formation of a direct data call connection, these claims are believed to be distinguishable over Vanttila.

Hansson was not cited for disclosing such structure or methodology. And, review of this reference further indicates that no such structure or methodology is disclosed.

Additionally, Figures 4 and 5 of Vanttila, together with their corresponding descriptions, indicate initiation of operations by a user terminal. And, while the applicant notes column 3, lines 9-21 of Vanttila that shows an SMS message sent by the network to a mobile terminal, the method pertains to a procedure in which a feature is activated at the network, contrary to the recitation of claims 21 and 24.

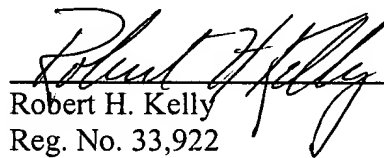
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As the dependent claims include the limitations of their respective parent claims, these claims are also believed to be distinguishable over the references cited against the claims for the same reasons as those given with respect to their parent claims.

In light of the foregoing, independent claims 21 and 24 and the dependent claims dependent thereon are believed to be in condition for allowance. Accordingly, reexamination and reconsideration for allowance of these claims is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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